

**MINUTES  
REGULAR MEETING  
UTILITY SERVICE BOARD  
FEBRUARY 20, 2012**

The Regular Meeting of the Utility Service Board of the City of Jasper, Indiana, was held in the Council Chambers of City Hall in Jasper at 7:00 PM on Monday, February 20, 2012.

The meeting was called to order by Chairman Wayne Schuetter.

**UPON CALL OF THE ROLL, THE FOLLOWING WERE PRESENT:**

Wayne Schuetter – Chairman  
Rick Stradtner – Vice Chairman  
Mike Harder – Secretary  
Doug Schulte – Water Commissioner  
Alex Emmons – Wastewater Commissioner  
Greg A. Krodel – Gas Commissioner  
Ken Sendelweck – Electric Commissioner

**ALSO PRESENT:**

Jerry Schitter – Electric Distribution Manager  
Windell Toby – Electric Generation Manager  
Michael A. Oeding – Gas & Water Manager  
Ed Hollinden – Wastewater Manager  
Bud Hauersperger – General Manager  
Ashley Kiefer – Office Manager  
Bill Shaneyfelt – City Attorney

**PLEDGE OF ALLEGIANCE** (DVD-00:39)

Chairman Wayne Schuetter led the Pledge of Allegiance.

**QUOTE OPENING: CENTRAL TIE MATERIALS & EQUIPMENT – ELECTRIC DISTRIBUTION** (DVD-01:05)

Bud Hauersperger opened the quotes and read them aloud as follows:

- |   |                           |
|---|---------------------------|
| 1. Power Line Supply<br>Mooresville, IN | \$70,530.20 plus frt chgs |
|---|---------------------------|

The quote included a signed non-collusion affidavit.

- |                             |                           |
|-----------------------------|---------------------------|
| 2. HD Supply<br>Mattoon, IL | \$49,922.54 plus frt chgs |
|-----------------------------|---------------------------|



3. Ruxer Ford	(Quote #1)	\$27,349.00	
Jasper, IN		<u>- 3,500.00</u>	trade-in
		\$23,849.00	

The quote included a signed non-collusion affidavit.

4. Ruxer Ford	(Quote #2)	\$28,921.00	
Jasper, IN		<u>- 3,500.00</u>	trade-in
		\$25,421.00	

The quote included a signed non-collusion affidavit.

Mike Harder made a motion to take the quotes under advisement. Greg Krodel seconded the motion. Motion approved, 7-0.

**QUOTE OPENING: MOBILE COLLECTOR & LAPTOP- BUSINESS OFFICE** (DVD-11:26)

Bud Hauersperger opened the quote and read it aloud as follows:

1. HD Supply	\$26,675.00
Mattoon, IL	

The quote included a signed non-collusion affidavit.

Alex Emmons made a motion to take the quote under advisement. Doug Schulte seconded the motion. Motion approved, 7-0.

**APPROVAL OF MINUTES** (DVD-12:23)

Chairman Wayne Schuetter presented the minutes of the January 16, 2012 Regular Meeting and there being no corrections or amendments, asked for a motion to approve the minutes. Rick Stradtner made a motion to approve the minutes of the January meeting as presented. Doug Schulte seconded the motion. Motion approved, 7-0.

**LEGAL REPRESENTATION** (DVD-12:57)

Mayor Seitz addressed the Board regarding the current contract with Shaneyfelt and Bohnenkemper Law Office and a proposed legal services agreement. At the current time Shaneyfelt and Bohnenkemper Law Office is on contract for a three month period, which ends March 31<sup>st</sup>, at a rate of \$120 an hour. The legal department budget for 2012 is \$172,598 and is shared by Jasper Municipal Utilities and the City of Jasper.

Shaneyfelt and Bohnenkemper provided a detailed invoice for their services for the month of January, which was capped at a self-imposed, not to exceed amount. The firm needed additional time and effort to familiarize them with Jasper City Law, therefore the hourly rate came far under \$120 an hour for the 140 hours worked. Mayor Seitz commended the law firm for their

reduction of fees, their services for the month, and their understanding for the extra time and effort put forth.

Mayor Seitz presented a proposed legal services agreement revised and dated February 17, 2012, from Shaneyfelt and Bohnenkemper Law Office. The firm proposes a monthly fee of \$14,000, payable by an invoice of \$12,000, and \$2,000 deferred compensation each month for every month of the calendar year. The total amount of the agreement is \$168,000 which is approximately \$4,500 under the 2012 budget. The agreement can be terminated with 30 days written notice. The agreement is open-ended. Mayor Seitz requested that the Board review the contract and accept the terms.

Much discussion by the Board and Shaneyfelt followed, including budget and performance. Chairman Wayne Schuetter spoke regarding the assessment of performance by the firm. Schuetter wants to know exactly what services will be provided before a long term decision is made. Board members want to be sure that outside counsel is as effective as full-time in-house counsel.

Shaneyfelt feels that with himself and his partner, Bohnenkemper, they have a wealth of experience, and two attorneys are better than one. He feels they have provided the City with excellent knowledge during the past month. If the Board decides to look for full-time in-house counsel, Shaneyfelt agreed to continue the firm's services until new counsel is hired.

The Board decided it needed additional time to discuss issues further with Shaneyfelt and department heads.

#### **PRESENTATION FROM CHORUS, INC.** (DVD-1:11:00)

Mayor Seitz introduced Mike Evans, CEO of Chorus, Incorporated. Evans presented a power point presentation for the Board, informing them on a strategic planning and leadership development program Mayor Seitz wants to institute for the City of Jasper. The program incorporates leadership retreats for departmental managers and others.

Phase 1 of the program has been paid for by private funding. Mayor Seitz is asking that Phase 2 and 3, which would cost \$52,520, be paid partially by the Jasper Municipal Utilities and partially by the Civil City.

Mayor Seitz will come back to the Board next month regarding the funding of the project.

**\*\*(The Board stopped the meeting and took a break from 9:06PM to 9:14PM.)\*\***

#### **RECOMMENDATION ON MINI-EXCAVATOR QUOTE OPENING** (DVD-2:06:40)

Jerry Schitter asked for approval to purchase the mini-excavator from the low quoter, Wright Stemle of Jasper, for \$13,715.36. The quote did meet specifications and is under the budget amount.

Mike Harder made a motion to approve the purchase of the mini-excavator from Wright Stemle for \$13,715.36. The motion was seconded by Greg Krodel. Motion approved, 7-0.

## **RECOMMENDATION ON EQUIPMENT HAULER TRAILER QUOTE OPENING**

(DVD-2:07:50)

Jerry Schitter asked for approval to purchase the equipment hauler trailer from the low quoter, Meyer Truck Equipment of Jasper for \$4,240. The quote did meet specifications and is under the budget amount.

Rick Stradtner made a motion to purchase the equipment hauler trailer from Meyer Truck Equipment for \$4,240. The motion was seconded by Alex Emmons. Motion approved, 7-0.

## **INVENTORY PARTS TO DECLARE SURPLUS** (DVD-2:08:30)

Jerry Schitter presented the Board with a list of parts no longer used, but still in inventory by the Electric Distribution Department. He would like to scrap or dispose of the items and remove them from inventory.

Ken Sendelweck made a motion to declare the parts presented as surplus and remove them from inventory. Doug Schulte seconded the motion. Motion approved, 7-0.

## **ELECTRIC PLANNING COMMITTEE REPORT** (DVD-2:09:42)

Ken Sendelweck, Chairman of the Electric Planning Committee, stated the committee met on February 8, 2012 to discuss the Heidorn Property and part-time Power Plant employees.

The Committee discussed the Heidorn Property. A third appraisal has been received and is at the midpoint of the previous two appraisals. The Heidorn's asking price is substantially less than the average of the appraisals. A letter was also received from Jay Catasein stating the potential uses for the real estate by Jasper Clean Energy.

Bud Hauersperger received a draft purchase agreement in the amount of \$315,000 for the Heidorn's property today. Some issues still need to be addressed regarding taxes and occupancy of the property. Final approval will be based on the contingencies of the purchase agreement with the Heidorn's.

Ken Sendelweck made a motion to approve the purchase price for the Heidorn property in the amount of \$315,000 and give Hauersperger permission to pursue further details of the purchase. Greg Krodel seconded the motion. Motion approved, 7-0.

The Committee also discussed the Power Plant employees. The Power Plant is down to ten employees with two retiring in the next few months, therefore the plant could not operate at full capacity if needed. A discussion followed regarding hiring retired City Power Plant operators, approved by the Generation Manager and General Manager, on a part-time basis. It is proposed the employees would be paid \$25 per hour, with no benefits, and be hired on an on-call basis. Toby, the Generation Manager, has talked with the retiring operators and they have said that this scenario would be agreeable to them.

Ken Sendelweck made a motion to approve the \$25 per hour rate and the addition of a part-time Power Plant Operator position to the Salary Ordinance, with very specific qualifications outlined in the job description. Mike Harder seconded the motion. Motion approved, 7-0.

Rick Stradtner commended the Electric Committee on the idea for creating such a position.

The Committee also discussed a report from Jasper Clean Energy and a Field Day presentation on miscanthus grass.

#### **JASPER CLEAN ENERGY MONTHLY REPORT** (DVD-2:18:48)

Hauersperger presented the first monthly report from Jasper Clean Energy. This report will be received every month, per the terms of the lease, to document the project's progress. This month the only progress reported was the continuation of meeting with potential candidates to buy the power from the plant. The rest of the report explained the format of the future reports.

#### **CORRPRO CONTRACT** (DVD-2:20:54)

Mike Oeding informed the Board that Corrpro is the company that the Water Department uses to check cathodic protection in their water tanks. The City has three tanks, and only two tanks need checked. The North Tower needs extensive work done this fall, so the contract will not include the North Tower. Oeding would like to send the contract back to Corrpro with changes made, per Shaneyfelt's advice, and renew the contract as changed.

Doug Schulte made a motion to approve the contract with Corrpro for \$1,330, plus the cost of changing aviation bulbs for \$125 each, contingent upon Corrpro agreeing to the contract changes proposed by Shaneyfelt. Rick Stradtner seconded the motion. Motion approved, 7-0.

#### **PERMISSION TO HIRE ENGINEERING FIRM** (DVD-2:22:45)

Oeding told the Board that an engineering firm is needed to oversee the rehabilitation of the North Water Tower and asked for permission to seek proposals for such.

Alex Emmons made a motion to give Oeding permission to seek requests for proposals for an engineering firm for the rehabilitation of the North Water Tower project. Doug Schulte seconded the motion. Motion approved, 7-0.

#### **TURBIDIMETERS ORDERED** (DVD-2:25:47)

Oeding explained to the Board that the turbidimeters quoted last month have been ordered and installed. There was a mix-up and he assumed since there was only one quote the motion was to purchase the meters. The quotes were only taken under advisement at last month's meeting.

Rick Stradtner made a motion to retroactively approve the purchase of the turbidimeters from Hach Company for \$19,760. Ken Sendelweck seconded the motion. Motion approved, 7-0.

**ODORIZER FOR TEXAS EASTERN STATION** (DVD-2:27:48)

Oeding informed the Board that the odorizer ordered last year has come in and will be installed on Friday, weather permitting.

**RAW WATER PUMP DELIVERED** (DVD-2:27:58)

Oeding also told the Board that the raw water pump has been delivered and is available for use.

**GAS PLANNING COMMITTEE REPORT** (DVD-2:28:07)

Greg Krodel, Chairman of the Gas Planning Committee, stated the committee did not meet during the past month.

**WATER PLANNING COMMITTEE REPORT** (DVD-2:28:12)

Doug Schulte, Chairman of the Water Planning Committee, stated the committee did not meet during the past month.

**PURCHASE OF USED DUMP BED FOR 1991 GMC** (DVD-2:28:20)

Ed Hollinden explained to the Board that in his capital expenditure plan, his intention was to convert an existing pusher bed with a hoist for an estimated amount of \$12,300. Meyer Truck Equipment has informed Hollinden that they have a used dump bed and can put a liner in it, and a new tarping system for \$11,200. Hollinden would like to purchase the used dump bed from Meyer Truck Equipment.

Mike Harder made a motion to approve the purchase of the used dump bed from Meyer Truck Equipment for \$11,200. Rick Stradtner seconded the motion. Motion approved, 7-0.

**EAST TERRACE INFORMATIONAL MEETING** (DVD-2:29:53)

Hollinden said that an informational meeting was held last Monday regarding the East Terrace project. East Terrace residents were reminded to have their sewer lateral lines inspected, and if the inspection fails, they will need to repair their lateral line. 19 out of 22 signed up for the inspection. The Wastewater Department has inspected 5 of the 19 homes so far, and 2 of them have failed.

**UPDATE ON VOLUNTARY INSPECTIONS- NORTHSIDE PROJECT** (DVD-2:31:21)

Hollinden explained to the Board that 50 residents out of 144 volunteered to do the inspections. On the Fairway Park side, 14 out of 37 inspected their lines, and on the Skyline side 36 out of 107 inspected their lines. Out of the 50 lines inspected, 8 have passed inspection. So far, 4 out of the 50 still need to fix their lateral lines. City Engineer, Chad Hurm, will issue a Notice to Proceed the first week in March.

## **WASTEWATER PLANNING COMMITTEE REPORT** (DVD-2:33:17)

Alex Emmons, Chairman of the Wastewater Planning Committee, stated the committee did not meet during the past month.

## **BUSINESS OFFICE SOFTWARE UPDATE** (DVD-2:33:29)

Ashley Kiefer, Business Office Manager, updated the Board on the software project in the Business Office. The Business Office is working on some time sensitive balancing and reconciliation issues that are affecting year-end reporting. Discussions have taken place with executives at Tyler, the software company, and they have 2 employees working full-time to resolve the issues.

Weekly conference calls are still being held with Tyler to work through the issues that are outlined on the issues log. A dedicated support person is still used for day to day problems that arise. Issues are being addressed by Tyler and Eck-Mundy to increase efficiency and speed with the software and network.

Work is also continuing on setting up the Application Availability Service, in case of a natural disaster. Tyler will take a back-up every night of our system so we can retrieve our information and software from a computer at any location in case of a disaster. Tyler is having trouble backing up the large amount of data in a timely fashion with the current internet speed.

Kiefer also informed the Board of upcoming software projects. There will need to be further discussion concerning Ordinance changes and fees associated with the future institution of credit card and online bill payments. Inventory and Work Order modules should be delivered by Tyler by the end of the second quarter.

## **WATER BOND REFINANCING** (DVD-2:37:55)

Hauersperger informed the Board that he pursuing the refinancing of the water bonds. He has sent out requests for proposals for bond counsel. Hauersperger sent out four requests to firms for proposals and has received response from three of the firms. Hauersperger will review the proposals and report back next month.

## **MISCANTHUS UTILIZATION & HARVEST DEMONSTRATION** (DVD-2:39:01)

Hauersperger informed the Board that a group from the City would be attending a Field Day in Franklin, Kentucky tomorrow. There will be a demonstration on the harvesting of miscanthus grass, along with other presentations using miscanthus for plastics. This is the third year for the miscanthus crop on those fields.

## **PAYMENT REQUEST FROM FORCE CONSTRUCTION** (DVD-2:40:22)

Hauersperger said a construction meeting was held last week and that Force Construction is 4 to 6 weeks behind on the Beaver Lake Dam Rehabilitation project. Force will start working on Saturdays to catch up, weather permitting.



Force also made a mistake when pouring the concrete. The wall is 1.2 inches shorter than the original specifications. Hauersperger spoke with the Engineer and he feels the dam will be stronger now. Hauersperger is discussing with the contractor what will be done to correct the problem and will get it in writing from the DNR, EDA, and OCRA that the one inch less in concrete will not affect the grant.

Hauersperger then presented a payment request on behalf of Force Construction for \$185,895.76 for the project. This is the fifth payment towards the project.

Ken Sendelweck made a motion to approve the Contractor's Application for Payment #5 to Force Construction in the amount of \$185,895.76. The motion was seconded by Mike Harder. Motion approved, 7-0.

**NOTICE OF APPEAL** (DVD-2:44:49)

Hauersperger informed the Board that the City has received a Notice of Appeal concerning the Power Plant lawsuit. The notice gives Healthy Dubois County the option to appeal.

**FINANCE COMMITTEE REPORT & PRESENTATION OF CLAIM DOCKET** (DVD-2:45:18)

Mike Harder reported the Finance Committee had met and reviewed the claims on the Claim Docket.

The Finance Committee recommended approval of the claims as presented.

Alex Emmons made a motion to approve the claims as presented. Rick Stradtner seconded the motion. Motion approved, 7-0.

There being no further business to come before the Board, the meeting was adjourned at 9:53PM upon motion by Mike Harder and second by Rick Stradtner. Motion approved, 7-0.

The minutes were hereby approved \_\_\_\_\_ with   X   without corrections this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Attest: \_\_\_\_\_  
Secretary Chairman